

031504
13281 U.S. PTO

Patent
Attorney's Docket No. 001560-4540

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

22858 U.S. PTO
10/799681
031504

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. **21839**

Sir:

This is a request for filing a [] continuation [X] divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 10/196,362, filed on July 17, 2002, which was a divisional of Application No. 09/043,563, filed on March 20, 1998, (now U.S. Patent No. 6,455,549) which was a national stage filing under 35 U.S.C. § 371 of International Application No. PCT/JP97/02531 filed on July 22, 1997 for ARYLPIPERIDINOL AND ARYLPIPERIDINE DERIVATIVES AND PHARMACEUTICALS CONTAINING THE SAME, by the following named inventor(s):

- (a) Full Name Hirokazu ANNOURA
- (b) Full Name Kyoko NAKANISHI
- (c) Full Name Shigeki TAMURA

[X] The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

[] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

[] This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

- ☐ Applicant(s) suggests Figure _ for inclusion on the front page of the patent application publication and/or patent.
- ☒ Applicant(s) requests that the published application include the following assignment information: Daiichi Suntory Pharma Co., Ltd.
1. ☒ Enclosed is a copy of the prior Application No. 10/196,362 as originally filed on July 17, 2002, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
 2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
 3. ☐ Small entity status is hereby claimed.
 4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$770.00 (1001)
Total Claims	9	MINUS 20 =	-0-	× \$18.00 (1202) =	-0-
Independent Claims	2	MINUS 3 =	-0-	× \$86.00 (1201) =	-0-
If multiple dependent claims are presented, add \$290.00 (1203)					-0-
Total Application Fee					\$770.00
If small entity status is claimed, subtract 50% of Total Application Fee					-0-
Add Assignment Recording Fee of \$ <u>\$40.00 (8021)</u> if Assignment document is enclosed					-0-
TOTAL APPLICATION FEE DUE					\$770.00

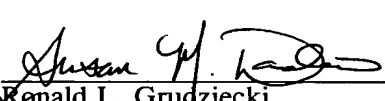
5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
7. ☒ A check in the amount of \$ 770.00 is enclosed for the fee due.
8. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

9. ☒ Cancel in this application original claims 1-10 of the prior application before calculating the filing fee.
10. ☐ New drawings are enclosed.
11. ☒ Priority of Application No. 8-192123 filed on July 22, 1996 in Japan (country) is claimed under 35 U.S.C. § 119.
- ☒ The certified copy of the priority application
- ☐ is enclosed.
- ☒ was forwarded from the International Bureau in the national stage application having Application No. 09/043,563, filed on March 20, 1998, (as noted in PCT/DO/EO/93) and acknowledged by the Examiner on March 2, 1999 in Paper No. 2.
- ☐ has not yet been filed.
12. ☒ A preliminary amendment is enclosed.
13. ☒ An Information Disclosure Statement is enclosed.
14. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
15. ☐ Also enclosed __.
16. ☒ The power of attorney in the prior application is to the Partners of Burns, Doane, Swecker & Mathis, LLP.
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Recognize as Associate Attorney Susan M. Dadio, Reg. No. 40,373 and Jennifer A. Topmiller, Reg. No. 50,435.

- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

RONALD L. GRUDZIECKI
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
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Alexandria, Virginia 22313-1404

Date: March 15, 2004

By:  *Reg. No.* 40,323
Ronald L. Grudziecki
Registration No. 24,970

ADDRESS OF SIGNATOR:

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☐ inventor(s)
☐ assignee of complete interest
☒ attorney or agent of record
☐ filed under 37 C.F.R. § 1.34(a)